

MINUTES

SALINA CITY PLANNING COMMISSION
CITY COMMISSION ROOM
Tuesday, May 16, 2006 4:00 PM

MEMBERS

PRESENT: Bonilla-Baker, Funk, Mikesell, Ritter, Schneider, Simpson, Soderberg, Weisel and Yarnevich

MEMBERS

ABSENT:

STAFF

PRESENT: Andrew, Burger, Herrs, Jeanfreau and Johnson

Item #1. Approval of the minutes of the regular meeting held on May 2, 2006.

The minutes of the May 2, 2006 meeting were approved as presented.

Item #2. Application #Z06-2, filed by Tracy Roy, requesting a change in zoning district classification from R (Single-Family Residential) to I-2 (Light Industrial) district to allow construction of a commercial storage building on a vacant 20,000 sq. ft. lot. The subject property is legally described as the South 200 ft. of Lot 13, Block 1 in the Cloverdale Addition to the City of Salina, Saline County, Kansas and is addressed as 1225 Prospect Avenue.

Mr. Andrew gave the staff report which is contained in the case file.

Mr. Simpson asked would anyone from the public wish to make comments regarding this application? Would the applicant like to address the Commission?

Mrs. Soderberg stated I guess I didn't know if he was going to speak or not. I had a question about the storage that you're talking about and I understand that you would use it for storage and perhaps rent out space as well?

Tracy Roy, 2769 Melanie Lane, stated yes I would like to be able to make a little bit of money from inside storage. It would be storage for my business plus if I could get enough interest from small contractors to rent storage places for them so they could store their stuff there as opposed to at home, or maybe have a small office in there where they could work instead of having to work out of their house, if there was enough interest in it.

Mrs. Soderberg asked so you don't know at this point how many different people maybe would be there on a regular basis?

Mr. Roy stated no I've talked to a few people but not too many. I've had a couple of people that would be interested in renting from me if I build something like that.

Mr. Simpson asked any other questions? Seeing none we will bring it back to the Commission for discussion and action.

MOTION: Mrs. Yarnevich stated I move we approve Application #Z06-2.

SECOND: Mr. Funk.

VOTE: Motion carried 9-0.

Item #3. Application # CU06-2, filed by Jones-Gillam Architects on behalf of St. John's Military School, requesting approval of a Conditional Use Permit to allow development of recreation fields in an R (Single-Family Residential) zoning district. The subject property is legally described as Lots 5 thru 10, College Court Addition to the City of Salina, Saline County Kansas and is located in the 200 block of West Euclid Avenue.

Mr. Andrew gave the staff report which is contained in the case file. He stated Mr. Johnson may have a few comments to add.

Mr. Johnson stated thanks. I would just add that we do ask that the curb cuts be closed up if they're not being used, especially when the use changes and they're left over from a residential property. We would ask that those be closed up during the development of a property. I don't have anything else to add other than one of the issues that we will have to work with when it gets a little closer is proximity of the light poles and any underground-type of excavation, the proximity of those with respect to the levee. We have a critical area within 1000 feet of the levee. Any subsurface work within that 1000 feet requires Corps of Engineers approval, so we would have to work together on getting those issues resolved. Thank you.

Mr. Funk asked where is that levee with respect to this lot?

Mr. Johnson stated you can see it in the background. I think it's about 250 - 300 feet from the levee to the north edge of the lot.

Mr. Andrew stated there's actually a lot on Fifth Street that has a house and that house is on Fifth Street, but their lot goes all the way back in back of these playing fields. So if you look at your vicinity map, and I don't know if you can go back to that John, but it's this area next to the levee.

Mr. Johnson stated this aerial would show it pretty well too if we could move up to the north a little farther you could see the levee. It's right there at the top of the screen is the levee.

Mr. Andrew stated this is the property on Fifth Street and it's residential property and that owner actually owns this strip that's all the way back into here. So the St. John's property ends here and the right-of-way for the flood control levee ends here, but it is easily within 1000 feet.

Mr. Funk stated 1000 feet puts it to about the middle of the campus.

Mr. Johnson stated, of course most of the buildings that are out there today were there when the levee was built, but any new excavation activity in that area is under the Corps of Engineer's jurisdiction.

Mrs. Yarnevich asked so in other words we can't approve anything until we here from them anyway?

Mr. Johnson stated well you could. The only thing that they're concerned with is that the compaction specific to any excavation is to their standards. They certainly don't have a problem as long as you meet all of their construction standards and they're pretty stringent, but certainly it can be done. I think the main issue would be deep excavations for the light poles would probably create the biggest issue, but again, if we're filling them with concrete or something like that, they certainly aren't going to have an issue with those.

Mrs. Soderberg asked so St. John's owns none of the homes that are visible now, it's just that empty space on each end that they own?

Mr. Andrew stated they own a lot or lots at the end. I'm not sure on the west, but I believe that's correct that they just own this property and the one on the west end in that corner there. This piece right here is City owned park land.

Mrs. Bonilla-Baker asked so what's the purpose of moving the field to across the street, what's wrong with the field right now? Are they going to do more? Is there anything wrong with the current field?

Mr. Gillam stated that is where we would like to build a new building.

Mr. Simpson stated I was going to say, are there any other questions of the staff? If not, Jeff do you want to speak on behalf of the application?

Mr. Gillam stated you bet. This is a master plan that you see before you now. I'm going to leave the mike here. I will try and talk very loud. We're proposing a new dormitory building here which is basically the location of the current football field. This is some future work but they would like to turn the campus so that the focus is off of Ninth Street with this turnaround. This is a proposed building, this is not in place, but they want a more formal campus setting. So that's the real reason for trying to relocate the football field north.

Mr. Funk asked is that the dormitory they were talking about in the Sunday paper?

Mr. Gillam stated that's correct, yes. St. John's has been working aggressively trying to secure the property to the north. As Dean mentioned, they have the property there in the middle, they have the property at the end. I know there is some discussion that they're trying to secure the property on the north side of them as well. When you look at the map, John you might pull up the map and give us more of an overall aerial of the neighborhood, when you look at their campus, it's the most logical progression for them to take. It really doesn't make sense for them to go south, we'll wait for that to come up. John could you zoom out a little bit more? As most of you know, this is very heavy residential. So they have been working for many years to try and push their campus in that direction and the need at this current time is for a new dormitory, and it again makes sense to locate it on this campus and then slowly put a lot of your athletic fields and stuff to the north.

Mrs. Soderberg asked so other than football a few times in the fall, what other use are they planning for that new field?

Mr. Gillam stated right now they have five games a year and when I talked to Jack Fox he doesn't anticipate that increasing. I might also mention as this property changes, as the landowner changes, if they acquire more property, we see this as really a temporary staging, it's not a final situation. So as they acquire more property the football field may get relocated, may get pushed further north, but at this given time the needs are that they need the barracks and it's just our natural progression.

Mrs. Soderberg asked any soccer?

Mr. Gillam stated they currently use that field for soccer now and practice. There are no lights on that field but it's just an open recreational field now.

Mrs. Soderberg asked and how many night games do they have of the four or five a year?

Mr. Gillam stated just five football games. Are those all night games?

Bob Miller, with Busboom and Rauh, stated I don't believe they've decided.

Mrs. Yarnevich asked will they use those fields then for soccer also or are they strictly football fields?

Mr. Gillam stated I would anticipate they would use them for soccer because they use that field now, but the soccer games aren't at night. I can't address the question as to whether that would change.

Mrs. Yarnevich asked but I mean it's going to get more use than just five evenings a year, it's going to have quite a bit more use than that isn't it?

Mr. Miller stated I would say at least there are five evenings where the lights would be on. The rest of the activities would more than likely be confined to the daylight hours.

Mr. Funk stated well you have to practice every day, and that's the only practice field isn't it?

Mr. Miller stated not presently, no, but the practices are basically confined to the after school hours and daylight hours, they're not normally done under the lights.

Mr. Gillam stated Monroe what you're suggesting is, I mean they have activities here and they have activities here, so of course all of the activities will be at one location. But again, with regard to the neighborhood, the activities are still in direct proximity, we haven't changed anything.

Mrs. Yarnevich asked do you have activities at the new location at this time?

Mr. Gillam stated soccer and practice, it's just a green field. I might address while I'm here just a couple of the items. Again, knowing that this may not be a permanent home, we're trying not to put too many permanent facilities such as extensive landscaping, fencing, screening, that kind of thing, so we would defer that to you if you feel that we need to install some fencing we would be more than happy to do that but it's something that we may be tearing out in the future. We're trying to prevent doing too much of that. We have no problem filling in the driveways and as you all know, I mean we build houses, Red Fox Lane is a good one, we build houses within 300 feet of the dike with basements in them. So that's a non-issue. We just need to comply with the Corps regulations. We don't see that as a problem. We're, as Brad suggested, probably trenching and laying some electrical line down and backfilling it, filling it back in, so we're not really undermining the dike in any way. I think those are primarily the issues I heard.

Mrs. Soderberg asked do you plan to move the lights that are on the current field over there then?

Mr. Gillam stated no we are looking at doing some new lights and we are trying to be sensitive. I did bring some cut sheets, this may not be the exact fixture that we get but I will pass this around. As you know, the newer

fixtures come out with a lot of variety in terms of baffles and screening and we do want to be sensitive to that so that we're directing the light towards the field, but we are looking at new poles and new lights. I think we're also looking at raising the pole height which will also allow us to direct the light more down and you'll get less spill and glare onto the neighboring properties. Jack Fox did remind me, he's the commandant out there, he said, "Jeff, St. John's has been there for 118 years and many of those residents have moved in to their residence across from that site, so many of the houses or residents should be aware that the facility, those activities are going on in that neighborhood already." Any other questions?

Mr. Simpson stated there was a question about vehicular access.

Mr. Gillam stated we're not planning on putting in any drives at this time. They don't have any currently. Again, any access that they need is directly off Euclid. The proximity or location for an ambulance or something like that would be the same. So we're not anticipating, again, I guess we're just trying to be sensitive to the idea that it may move and change in the future, so we're not trying to build too many permanent facilities such as a driveway or lane or parking or anything that could easily be changed in the future.

Mrs. Soderberg asked how soon into the future?

Mr. Gillam stated I can't answer that. I mean it all has to do with acquiring the property.

Mrs. Soderberg stated I guess I'm more concerned about the idea of screening and that type of thing, and so if you're thinking two years as opposed to eight years, you know that makes a difference. And I know you probably don't know.

Mr. Gillam stated no I wish I could answer that, I'm sorry.

Mr. Mikesell asked screening, you would be talking basically to the east, correct? I mean because to the south is the campus, so the only thing we would be talking about screening would be the area directly to the east.

Mr. Gillam stated John you have some photographs. I think if you look there, there is quite a bit of existing foliage along there. There's a great one right there to the west. You can see the soccer goals out there. You know personally, I actually think we're making the lighting situation better by pushing it back with all the foliage as opposed to right now, it's directly across the street from all the houses. As we slide it back into this lot, it's actually screened a little bit better and hidden.

Mrs. Yarnevich asked what about on the east side?

Mr. Gillam asked do you have a picture on the east side John?

Mrs. Yarnevich asked that's where the letter came from, the property east?

Mr. Gillam stated right.

Mr. Andrew stated there is some foliage there along that west side of the house to the east but it's not quite as tall or extensive as this tree line over here on the west side. There's a low fence and they have some shrubs and low growing trees along the side of that house. You can kind of see the

corner of it here. This is where the hedge or tree line starts which is the east edge.

Mr. Gillam stated I might direct you to the field too, I mean we realize we would like to have more property there, but just the field alone, I think we have some dimensions there. We're about 50 feet from the property line to the actual field and of course your lights are actually in from that. You can see the lights on the little master plan or site plan there. So that again would help the light spill because it's going to be roughly 100 feet from the property line where you see the poles on the north and south of the field.

Mr. Funk stated this has to be one of the few east-west football fields in existence.

Mr. Gillam stated and that's why I think we can say it's not permanent because it's definitely not the ideal situation. We would rather it run north and south.

Mrs. Yarnevich asked so would you call it north and south?

Mr. Gillam stated that's why they play at night.

Mr. Funk asked does the academy have an aggressive plan to buy the rest of these houses, there's about five of them left the way I counted. Are you trying to buy those as they become available?

Mr. Miller stated every chance that's available we make the attempt, yes.

Mr. Gillam stated and actually I think several of the properties are owned by one person. Dean have you looked into that?

Mr. Andrew stated I can check and see what the total number of owners is.

Mrs. Yarnevich asked so they're rental properties?

Mr. Gillam stated that's my understanding.

Mr. Andrew stated there are some rental properties there.

Mrs. Soderberg asked so of the six homes do you know how many are rentals? I guess that's what you're looking for.

Mr. Andrew stated it looks to me like all the homes to the west are owned by one individual and then each of the three lots to the east are all owned separately, but there is one family that owns all the property to the west.

Mr. Funk asked is that third lot over from the football field, is that a vacant lot essentially?

Mr. Andrew stated there's a structure on it but it doesn't really look habitable. I mean it may have been used as a home at one time. That's not the home address of the owner of the property, so we see two owner/occupants on the block and the rest are rentals of some kind. One thing I might suggest, and it's not necessarily the answer, but something that is available with a conditional use is that you can do an approval for a term or specific term and ask that it be reviewed and potentially renewed after a specific period. So if you wanted to say that this could be approved for two years and then have it

scheduled for a review and report back as to whether this is going to be there for ten years or if it is in fact going to be interim, but as opposed to making them address things like vehicle access and screening at this point in time, one option would be to allow the use to be established there and then review it in 18 months or two years or a specific time and have staff report back to the Commission, have representatives of St. John's report back to the Commission, as to whether this is really interim or permanent and then at that time it would be an opportunity if you find that some form of screening, fencing, driveway access, those kind of things, should be provided. If this is in fact somewhat of an interim or temporary solution then it may not be appropriate to address all of those things right now, but by doing it for a term of years and subject to review and renewal at a specific time, that would be an opportunity to report back and take a look at it and see if we got complaints about the lighting, is there a need for some curb cut and particular vehicle access, is the natural foliage there okay or do we need some kind of screening? Those would all be possibilities to defer if you wanted to approve it for a set period of time and then have the Commission review it to see if some permanent improvements are needed at that time. So I would just throw that out as an option.

Mr. Simpson stated although the school doesn't have a definite building plan or groundbreaking scheduled in the foreseeable future, you do want to go ahead and move the athletic field?

Mr. Gillam stated yes they have already had a groundbreaking for the new facility.

Mr. Simpson stated oh, for the one on the north?

Mr. Gillam stated for the dormitory. They are moving ahead with those plans so the Conditional Use Permit for the football field basically allows them to have a football field or use Central's or Kansas Wesleyan's or some other thing that's not been discussed. So they are moving ahead. This is just a stop gap for them to be able to maintain a football field.

Mr. Andrew stated if you could go back to their master plan again John, what Jeff is describing, this building isn't there and this is kind of longer term, but this is what Jeff is referring to as moving forward now.

Mr. Schneider asked but Dean, under your option you're not saying the use as a football field would be in question, but just some of the things?

Mr. Andrew stated let's say that if this is just going to be an interim location, then having them plant screening in a location that long-term may not be the right place for it or having them build a driveway or something that wouldn't be used long-term, it's not that you would say, "no you can't have your football field anymore," it's more to say, "if your field's going to be here, we think that this type of fencing or this type of screening or this type of vehicle access would be appropriate." It would be more the conditions or the physical improvements more so than the use itself.

Mr. Schneider asked is that something that would work with the owner?

Mr. Gillam stated I think that would be fine. As long as they knew as Dean said that they've got the approval for use of the land and that they may have to come back and add some screening or something at that time, I think that would be appropriate.

Mr. Funk stated the whole issue of parking hasn't been addressed though. Where do they park now and where are they going to park?

Mr. Gillam stated well remember it's primarily a high school and the kids don't have cars. So it's mainly staff.

Mr. Funk stated well they have visiting teams from out of town for the five games.

Mr. Gillam stated yes and that's what you see this whole corner where we've added the parking there all the way around Ninth Street, that's all proposed new. Again, that's something we will be working with staff on as we get further with development plans for the dormitory but the parking and some of that stuff we would like to phase in with the dormitory. That would relieve some parking. There's long-range plans, again, if this turns into their athletic facility, their long-range plan is that there would be a large parking lot here. But again, that's not the project that we're looking at now, that's long-term when we get the field where we want it and some other activity or recreation facilities across the street. Again, long-term, if they can acquire all the property they would like to close Euclid down. This all becomes part of their campus. So if you really look out there that's the dream is to make that entire north piece part of their campus. Parking would be an issue if they have a lot of high spectator games. As many of you know, there's not a lot of spectators or visitors at St. John's games, it's a very small school, it's an eight-man football program, it doesn't get a lot of interest at this point. That may change and when it does they're looking for the future to make those improvements.

Mr. Mikesell stated at their graduation the other day I happened to drive by there and went down the street just to the south, is that Otis?

Mr. Gillam stated yes, Otis is on the south side.

Mr. Mikesell stated and it wasn't impassible and it didn't look any different than any other small function at any other small town school, but certainly I would think that some long-term solution for parking would be something in the best interest of the school.

Mr. Andrew stated there's 100 total spaces on the campus itself and the approach we've taken with that, whether it's Kansas Wesleyan or St. John's Military school or others, is that rather than looking at each building or facility, we try to look at the entire campus and say does the campus as a whole have enough parking, then it kind of becomes a proximity issue. If you move the field farther from the campus or north of the campus then maybe some of the spaces that are available aren't as attractive for people to park at, but there's 100 spaces that they have available in various locations on campus now and they're not adding a facility that they didn't have before, they're just relocating it. So we looked at it as the 100 spaces that they have today are sufficient and this is more of a proximity issue, a proximity of parking to facilities. But they are not adding a use or anything that's not there today, so we didn't look at it as adding to the parking requirement. I think it may be that people may park in different locations than they may have before. As Jeff mentioned, if long-term they're able to acquire all that property then the purpose of having Euclid as a public through street may not be there anymore.

Mr. Funk asked is the sod stable enough, not on a rainy day, but could you park east of the proposed field, is that a possibility? In other words right there.

Mr. Gillam stated no not that lot.

Mr. Funk asked to the west?

Mr. Gillam stated we really don't have enough space. Okay those are still occupied lots aren't they? Okay.

Mr. Simpson asked any other questions of the applicant? Is there anyone else who wishes to address the application? We do have a letter from an adjoining property owner that is made part of the record of the public hearing. We will bring it back to the Commission for discussion and action.

MOTION: Mrs. Soderberg stated I move for the approval of Application #CU06-2 with the provision that it be brought back to the Planning Commission in two years to look at the issue of screening, vehicular use, and lighting.

SECOND: Mr. Ritter.

VOTE: Motion carried 9-0.

Item #4. Continue discussion on the use and placement of portable storage containers in residential, commercial and industrial areas.

Dustin Herrs, Assistant Planner, gave a PowerPoint presentation on the pros and cons of allowing storage containers.

Ms. Bonilla-Baker asked do we have any local areas like where pods go?

Mr. Herrs stated right now we haven't seen any of the residential pods that we know of, the smaller ones. We do have several instances of the commercial in town and if that's your question, then yes.

Mr. Mikesell stated it seems to me one of the biggest factors, the neighbor factor I guess, is if one of those was in one of my neighbor's yard, how long is it going to be there?

Mr. Herrs stated right, exactly, and that's what we put as far as one of the cons is that they do need to have a limitation because they do serve a purpose, but that purpose is temporary and that's our feeling in this situation.

Mr. Simpson stated well we do now allow seasonal use for retailers.

Mr. Andrew stated we allow them right now in any district that allows outdoor storage and we prohibit them in any district that doesn't, but we primarily do that administratively not by the adoption of any rules and so we're not necessarily on thin ice there but I think that the primary area that we would like to receive guidance on would be our areas which are C-5, C-6, C-7, some of our more commercial corridors that do allow outdoor storage, how they would be addressed. Whether there's an administrative process or a Conditional Use Permit process which may seem like a lot just to put out a storage unit, but one of the things that was difficult for us when we discussed it before was there's a business out at Crawford and I-135 that's in the

commercial tire business and they have several of these and they are in the far northwest corner of the lot and they're nicely painted and everything and they store tires in them, and you can barely see them, versus Peerless Tire there at Front and Crawford, and those properties have the same zoning it's just that the characteristics of the site are different. So if somebody says, "well it's okay out at Crawford and I-135 but it's not okay at Front and Crawford," that's difficult for us because they're zoned the same. So that's kind of what we were looking for, at least a consensus of you as representatives of the community whether you think there are places where it's okay to use them as permanent storage substitutes for storage buildings, or whether you think they should always be temporary. I haven't heard from anyone who thinks they should be allowed in residential neighborhoods on a permanent basis, but we're not ruling anything out, and it's not something that we have to answer immediately but we have a full Commission of nine members now, you all have neighborhoods that you live in, you all have corridors that you drive on. One that I'm aware of that we have is on East Crawford between Central High and Ohio, on the south side there in a C-5 zone which allows outdoor storage. We have a number of people that would like to use these permanently. We have a number that really only want to use them temporarily. We had one individual who wanted to put two kind of end to end and then build a canopy structure between them, and the building official allowed them to build the canopy but not attach them to the containers because they're not buildings. It may seem unusual but when somebody builds a garage or any type of building, they've got to have information from the manufacturer or some certification as to if the roof will hold up to snow and the building will withstand a straight-line wind. I saw some photographs from down in the Wichita area where a number of these were sitting empty and they blew over in a 60-mile-an-hour wind. So one of the things and why the building official and the building code people won't touch them is because they're not buildings and nobody knows how they're made or what winds or snows or whatever they'll withstand, so they leave it to the zoning folks to figure out whether it's okay to use them or not. So they're not going to be treated as buildings, but they take up space and they can be located in the wrong place nonetheless. We're not necessarily looking for answers or anything today, but we would be interested in any questions that you would have or that you would want us to look into further to bring information back to you. Our goal is to get something in our zoning ordinance that addresses how and where these can be used. So if there's any questions or information that you would want us to provide to you this is just an opportunity to do that. This is not one of the easier areas to deal with because for the most part, we understand they're well made, they're somewhat resistant to moisture and pests, and they can be fairly secure and things like that, so they do provide secure storage or people wouldn't use them. But they can be placed in the wrong place and they can be, if they're unpainted or peeling or anything else, they can be pretty unattractive.

Mr. Weisel stated I have a question for you. Have you benchmarked other towns? What are other towns doing?

Mr. Andrew stated well we've gone from the range of complete bans to complete silence, to communities where their building official treats them as buildings, makes you get a building permit and makes you provide some sort of information about the unit and that's not the case here. So we're going to have to address it through zoning. They're not buildings but they're being used like buildings. Some communities have been looking to us because we've actually done more research into this subject than some other places, but certainly Manhattan has addressed it by saying if you build a corral that

has screening walls on all sides, you can put these inside that corral. So it's been addressed that way as well, kind of out of sight out of mind. Wichita has some requirements that you have to paint them to match the building that they're next to and if there's residential or other things next door, they have to be behind some form of screening. So they've been addressed that way. So there's really two issues. The building code people are concerned because they don't know how they're built and if you don't anchor them and they're empty, will they blow away when other buildings are anchored down?

The Fire Department is concerned about them for two reasons. One, they could carefully review a store or factory for fire exits and all those things and then have one of these get located and block a fire exit or keep them from getting access to the fire connection on the outside of the building because nobody knows it's there. Their other concern is that you don't always know what's stored in them, if they're going to have flammables or other types of materials that might get stored there. So those are kind of health and safety things. The other aspect is the aesthetic issue which is really more of the Planning Commission's view of what should be allowed where and what it should look like. So that's really what we would be looking for is should they be allowed permanently if they're screened or should they always be limited to just temporary storage?

Mrs. Yarnevich asked did we not discuss at one point that they should be anchored to a concrete base?

Mr. Andrew stated they should be. We think they should be.

Mr. Mikesell stated then you have created a permanent storage facility.

Mr. Andrew stated essentially yes, if they are going to be allowed on a permanent basis. Because if you put in a storage building of a similar size you would have to put that on a permanent foundation or have anchoring. If I go out and put a little, we've had an 8' x 16' building that was used to sell snow cones, well we make an architect or engineer review that and design a foundation for it so it will be anchored down and not blow away.

Mr. Mikesell stated but in my mind if you put this on a permanent foundation you are creating a building and then you need a building permit. To me in my mind these are always going to be temporary structures and nothing else.

Mrs. Bonilla-Baker asked would you currently need a permit to get a tool shed or one of the metal tool sheds right now?

Mr. Andrew stated if you put up a building in your backyard that's bigger than 120 square feet you need to get a building permit for that and put it in either using an anchoring system, tie downs or some type of foundation.

Mrs. Bonilla-Baker stated I think we need to go with that.

Mr. Andrew stated if you're 120 square feet or smaller then you don't need a permit and you can have it on skids or a flat grade.

Mrs. Bonilla-Baker asked aren't these people renting these pods just temporarily anyway?

Mr. Andrew stated not necessarily. I mean the people that want to put them in their backyards want to use them as a storage shed permanently, and Mr. Wells who's in the business here in town would like to offer them as an

alternative to mini-warehouses, to put these out on a lot and let you rent one of those instead of a mini-storage unit. So there is a desire out there. The construction industry just uses them on a temporary basis, but the really hard thing is the people that want to use these and make it essentially a warehouse instead of a temporary situation. Now we have the discretion to say, "no you can only use it temporarily" or we can say, "no you can't have them anywhere in the community," but we're trying to be realistic and also look at the fact that they do serve a pretty good purpose in the right place.

Mrs. Yarnevich asked well couldn't you put them, if it were to be permanent storage, couldn't you put them in a yard like the storage units, the smaller ones that we already have, and with certain distance between lanes of them, and so that you couldn't keep one in your backyard? If you had storage you would have to have it moved to a storage yard.

Mr. Andrew stated yes even the thing that Dustin was describing, and some of those are actually indoors, but basically the storage unit comes to you at your house, you fill it, they pick it up and take it somewhere. There is actually, and I'm not suggesting it because they're pretty full, but there's actually some places like Mid-State Plaza that have been converted into that type of place where it's an indoor storage facility for those type of cubicles or places like malls have been converted into that type of thing. But they take the cubicle that they drop off at your house, they don't leave it there, they take it and they store it. The difference is you don't have to drive there, you don't have to load and unload, you load it one time and they pick it up and take it.

Mrs. Yarnevich stated but I would think rather than allowing them to be in the backyard of a residential district, you would say well you're welcome to use them as a storage container but they must be removed from your property and placed in a yard that's designed for that.

Mr. Andrew stated I think we would agree with that.

Mr. Funk stated unless you're say remodeling the house and you need storage for let's say six weeks.

Mrs. Yarnevich stated well I guess I could even see that. I mean I can even see letting you keep it there for a month while you're cleaning out your stuff and loading it up and packing, deciding what you're going to put where and what you're going to save, you know for four weeks you can keep it on your property. But permanently, I would not think that you would want those in your backyard permanently.

Mr. Simpson the purpose of our discussion is we're looking at C-5, C-6, and C-7, is that correct?

Mr. Andrew stated primarily. I think we would propose, we may do what Margaret is suggesting and say that it's okay to have these in your driveway while you're getting ready for an estate sale or moving or something for a period of time, but you can't have them in your backyard as a storage building. That would take care of residential and then we would move into commercial and try to address that, and we don't really see in an industrial zone when you can have all kinds of tractor trailers, why these would be viewed any differently. I mean Tony's can have a whole lot full of tractor trailers, it's pretty hard to say that using these out in a lot would be much different than that. So we see three sets of rules. One for residential, one

for commercial areas and one for industrial areas. If there was anything particular that you had wanted us to try and get information about we would be glad to do that, but I think we'll try to bring something specific back to you but break it down by residential areas, commercial areas, and industrial areas.

Mr. Funk asked I was going to ask about tractor trailers whether they're in the same category here for commercial or industrial?

Mr. Andrew stated we had a situation in a residential neighborhood where somebody brought in a tractor trailer minus the cab and put it back behind their house and wanted to use that for a storage shed. If you can think of it, it's probably been done.

Mrs. Yarnevich asked well how do you police how well they take care of them, I mean who's going to do that?

Mrs. Soderberg stated well that's true. If you have them lined up, you know if they're not all askew and they're lined up and you take good care of them and there is space between them and it's uniform, it might not be so bad. But if they're just kind of dumped and nobody paints them or takes care of them and they're too close together then it's not a good situation.

Mr. Funk stated then you put up a 12 foot fence and screen them.

Mr. Andrew stated well yes. To do that, to have what I guess I call a containerized storage area or whatever, we would have a process where you would have to develop a plan and show your access and show the Fire Department how they could get around it. Basically the same way you would treat a mini-storage complex.

Mrs. Soderberg stated but that doesn't solve the Wal-Mart problem where it's supposed to be seasonal storage and then five months goes by and nine months goes by and you still have those either empty or being used.

Mr. Andrew stated anytime you allow it and say it's on a temporary basis, then it simply becomes a policing or enforcement matter. But there's certainly circumstances where using it on a temporary basis is okay, maybe not in our shopping areas, but maybe in a heavier commercial space using them permanently might be okay and it's also okay to say they shouldn't be allowed at all on a permanent basis in commercial areas.

Mrs. Soderberg stated when my son moved and when he lived in Prairie Village they brought out a pod and it was sitting in the street basically against the curb just for a few days, but would there be a regulation I'm assuming where it could be placed? Would the street be appropriate or inappropriate?

Mr. Andrew stated I think the street would be a last resort. I'm sure Mr. Johnson would have opinions on that. We have that today with commercial trash dumpsters where somebody is stripping a roof and we certainly ask that they put the dumpster on their own property, but if there's circumstances where they can't put it anywhere but the street, then certainly we would want to look at reflectors and things of that nature from a safety standpoint. If we went there, that would probably be the last resort would be to leave it in the street. We would certainly prefer it be in a driveway or on private property.

Mrs. Soderberg asked but it wouldn't have to be paved surface, it could be a

yard?


Mr. Andrew stated not necessarily. If it's there for five months you probably won't have a lawn. That's kind of the approach we'll take is residential first, the situation you described, the pods on a temporary basis and make it clear by ordinance that you can't have these or tractor trailers as your storage shed and then move to commercial and then industrial should be the easiest.

Mr. Simpson stated very good.

Item #5. Other matters.

Mr. Andrew stated we will have a meeting scheduled for June 6. We're going to be back a little bit to downtown bars. We have a request coming back for a new and different third floor bar above Big Nose Kate's. It's a different applicant than the previous ones. Then we have a request from the Paramount Bar on North Santa Fe to add an outdoor patio service area at the rear of the building. They actually do have some space there between their building and the public alley, and so the proposal would be to add an outdoor service area in that location. So those two items will be on your agenda for the 6th.

There being no further business, the meeting adjourned at 5:15 p.m.



Dean Andrew, Secretary

ATTEST: _____